

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Michael W. Marcellin et al. DOCKET NO.: 122170.00002US

SERIAL NO.: 10/534,620 EXAMINER: Anh Hong Do

FILED: 05/11/2005 ART UNIT: 2624

CONFIRMATION NO.: 7448

TITLE: METHODS FOR DECODING CORRUPT JPEG2000 CODESTREAMS

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Mail Stop Amendment  
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CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that on this 16<sup>th</sup> day of March, 2009, this correspondence is being transmitted via EFS-WEB to the United States Patent and Trademark Office, Patent Technology Center 2600, Art Unit 2624.

By: Alice Vanicek  
Alice Vanicek

TO THE COMMISSIONER FOR PATENTS

DECLARATION BY  
Dr. Michael W. Marcellin

I, Dr. Michael W. Marcellin, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that I have full knowledge and understanding of the fact that willful false statements and the like made herein are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that any such statements may jeopardize the validity of the above-referenced application or of any patent granted on it.

1. I graduated (summa cum laude) with a B.S. degree in Electrical Engineering from San

Diego State University in 1983, where I was named the most outstanding student in the College of Engineering, and received my M.S. and Ph.D. degrees in Electrical Engineering from Texas A&M University in 1985 and 1987, respectively.

2. For over 20 years, I have been involved in research in the areas of digital communication and data storage systems, data compression, and signal processing and have authored or coauthored more than two hundred publications in these areas.
3. I am currently a Regents' Professor of Electrical and Computer Engineering, and of Optical Sciences, at the University of Arizona. I also am an International Foundation for Telemetering Professor.
4. As a result of my education and experience, I have a thorough understanding of image compression fundamentals, standards and practices.
5. I have read and understood U.S. Patent Application Serial No. 10/534,620 covering the methods for decoding corrupt JPEG2000 codestreams of the present invention.
6. I also have read the Office Action from the Patent Office dated September 18, 2008, and in particular the Examiner's position regarding the rejection of claims 16, 18 and 20-23 under 35 U.S.C. 112 as expressed on page 3 of the Office Action.
7. In my opinion, a person of ordinary skill in the art would be familiar with the JPEG standards and standard JPEG encoding schemes recited in claims 16, 18 and 20-23. Indeed, such standards and schemes are mere background knowledge that is referenced at numerous places in the subject patent application (for example, beginning on page 1 of the Specification under the "Background" section, the following are referenced: ISO/IEC 15444-1:2004, "JPEG2000 Image Coding System;" D. S. Taubman and M. W. Marcellin, *JPEG2000: Image Compression Fundamentals, Practice and Standards*, Kluwer Academic Publishers, Boston, 2002; or M.J. Gormish, A. Bilgin and M.P. Boliek, "An overview of JPEG-2000", Data Compression Conference, pp. 523-541, March 2000, Snowbird, UT).
8. Accordingly, it is my conclusion that a person of ordinary skill in the art would know about the background material in the references disclosed in the subject patent application, and, thus, would understand how to make and use the subject matter recited in claims 16, 18 and 20-23.

Respectfully submitted,



By: \_\_\_\_\_ Dated: March 8, 2009  
Dr. Michael W. Marcellin